

**RULES AND REGULATIONS**

PROCEDURE NO. 100-2

ORGANIZATION			
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**PURPOSE:** To establish and describe the internal organization of the Birmingham Police Department.

**ORGANIZATION:**

The Department of Police shall be under the general administration and direction of the Chief of Police, who is appointed by, and directly responsible to the Mayor for the efficient conduct and operation of the Department of Police, and conformity to policies as set forth by the Mayor, who, by the authority of the City Charter, is responsible for the proper administration of the Department of Police, and enforcement of all laws and ordinances of the City.

**NUMERICAL STRENGTH:**

The numerical strength of the Department of Police of the City of Birmingham consists of the Chief of Police, and such additional numbers as the City Council shall from time to time provide.

III. **ORGANIZATIONAL CHART APPROVED:**

For the purpose of the practical operation, and effective, efficient conduct of the Department of Police, the organizational chart, setting forth the various Bureaus of the Department of Police, is established by the Chief of Police, with the approval of the Mayor, and shall embrace all the functions thereby prescribed.

IV. **SPAN OF CONTROL:**

- A. In order to carry out its functions, the Department of Police is divided into several organic units delineating the span of control and the ranks of the members of the chain of command within the Department, as per the table of organization.
- B. The Department of Police shall be divided into the office of the Chief of Police and the various Bureaus as approved, the heads of which shall report directly to the Chief of Police.
- C. To achieve effective direction, coordination, and control, supervisors shall not be assigned more than fifteen (15) employees except in an emergency.

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01/29/2024 Trial  
Plaintiff Exhibit No. 1





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## V. UNITY OF COMMAND:

- A. Members of the department shall report to and be responsible to their immediate supervisors and/or superior officers.
- B. Members of the department shall receive their instructions, orders, assignments, and other information, tasks or responsibilities from their immediate supervisors and/or superior officers.
- C. Members of the department receiving instructions, orders, assignments, other information, tasks or responsibilities from their immediate supervisors and/or superior officers have the authority and responsibility for performing assigned duties.
- D. Immediate supervisors shall delegate to their subordinates the appropriate authority and responsibility for performing or completing assigned duties, but such supervisors and/or superior officers shall remain responsible and accountable for the actions of their subordinates.
- E. The tasks and duties assigned to subordinates shall not exceed the scope of the authority which has been delegated to the subordinates involved.

## VI. ORDER OF RANK (CHAIN OF COMMAND):

- A. Each position of the Department of Police is a rank.
- B. The titles of the respective sworn ranks are:
  1. Chief of Police
  2. Deputy Chiefs of Police
  3. Captains of Police
  4. Lieutenants of Police
  5. Sergeants of Police
  6. Police Officers
- C. Chief of Police
  1. The Chief Executive Officer of the Police Department administering and directing the Department of Police.
  2. Responsible for the efficient conduct and operation of the Department of Police.

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3. Responsible for enforcement of all laws and ordinances of the City of Birmingham.

4. Order of Succession:

When the Chief of Police is unable to act, the Chief shall appoint a superior officer to act in his behalf. Should the Chief be unable to appoint a superior officer, the senior most Deputy Chief shall assume responsibility for the efficient conduct and operation of the department until the Chief resumes his duties.

- D. Deputy Chief of Police:

A Deputy Chief of Police or other ranking officer as designated by the Chief of Police shall be in command of the Departmental Bureaus and be responsible for the efficient operation of his bureau.

- E. Captain of Police:

A Captain of Police, as per table of organization of the Department of Police, shall be in command of and supervise a particular organic Unit of the Department and is responsible directly to his immediate Commanding Officer.

- F. Lieutenant of Police:

A Lieutenant of Police shall be in command of an organic "Unit" "Section" "Relief," or "Shift," as per the organizational chart of the Department of Police, and is responsible directly to his immediate Commanding Officer.

- G. Sergeant of Police:

1. A Sergeant of Police is a Superior Officer having immediate charge of subordinate members assigned to him, but is not authorized to hold Command Discipline Hearings or issue any discipline beyond a letter of counseling.
2. A Sergeant supervises activities at the operational level and may be assigned to investigative tasks as an investigative officer.
3. Sergeants of Police may serve as supervisory officers and/or investigators, depending on their assignment.

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## H. Police Officer:

The rank of Police Officer shall be subordinate to all other ranks within the organization of the Department of Police, and is responsible directly to his immediate Commanding Officer.

## VII. AFTER NORMAL DUTY HOURS:

After regular working hours, on Saturdays and Sundays, and on holidays, in the absence of a Bureau or Division Commander, it shall be the responsibility of the ranking patrol duty officer of the rank of Lieutenant or above to see that:

- A. All Rules and Regulations, Official Procedures and Departmental Policies are carried out. He may depart from these established orders only to save life and protect property in emergencies. When such a department is necessary, his Division Commander must be notified at once through established channels.
- B. All serious cases shall be brought to the attention of the Chief of Police or his representative through established channels without delay. An oral report shall be followed up with a complete written report to the Chief of Police.
- C. At no time shall the duty officer be below the rank of Lieutenant without the knowledge and approval of the Chief of Police.

## VIII. CIVILIAN EMPLOYEES:

- A. Civilian Employees are appointed from certified lists as provided by the Civil Service Board.
- B. These employees are under the direct supervision of the various Commanding Officers of the Unit to which they are assigned.

## IX. PERMISSION TO BY-PASS RANK:

- A. Employees and members shall not take matters to the Chief of Police or Bureau Commanders which should ordinarily be taken up with their immediate Superior Officer.
- B. Before taking the matter to the Chief of Police, or Bureau Commander, he shall first discuss the matter or problem with his immediate superior who will attempt to correct all matters through the normal chain of command. In extreme cases of

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personal, confidential or sensitive matters, where it is not feasible to utilize the chain of command, an officer after gaining permission of a superior, may go directly to the Chief of Police.

- C. In no instances will a member of the department be permitted to contact the media or political figures, etc. in relation to departmental matters without the written permission of the Chief of Police. This is not to be construed as a violation of Procedure 105-1, Section 3-B.

## X. SUBORDINATES INFORMED:

- A. All supervisors shall keep their subordinates informed of changes within their commands, or orders, assignments and other matters that concern them, except in cases of emergency, necessitating other action, or by the nature of the business that does not warrant such procedure.
- B. It shall be the responsibility of all supervisors to keep subordinates aware of recent court decisions and to see that they understand them fully.
- C. Supervisors will maintain a record of all court decisions forwarded to them so that they are available and readily accessible to all personnel under their command.

## XI. COOPERATION:

- A. No Division or Section shall become so isolated from other Divisions or Sections of the Department so as to interfere with the efficient interdepartmental relationship and morale.
- B. All members of the Department shall work together, always striving to obtain a higher degree of cooperation.

## XII. ADVANCEMENT IN RANK OR CLASSIFICATION:

- A. Duties shall be assigned by the Chief of Police to such Bureaus within the Department of Police as presently exists or may be established in the future.
- B. The Chief of Police may transfer a police officer or other member from one Bureau to another.

## XIII. EXECUTIVE AUTHORITY:

The executive authority of the Department of Police shall devolve through the designated positions in the chain of command, from the Chief of Police down.

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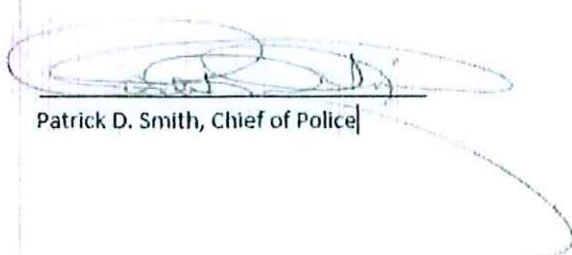
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## XIV. LINE OF AUTHORITY, COMMUNICATION:

- A. The executive authority and/or communication through official channels (chain of command) are clearly set forth in the table of organization chart and during routine operations shall be observed and enforced. During crisis/disaster operations whether they are man made or natural the operation of the department shall rely on guidelines from the Birmingham Police Department Incident Command System Plan, the Jefferson County E.M.A. Comprehensive Emergency Management Plan or the National Incident Management System.
  1. At least once annually the Professional Standards Division Commander and the Tactical Precinct Commander shall coordinate, conduct, and document a training exercise for all sworn personnel, either full scale or tabletop to include:
    - a. Notification of command staff and key personnel;
    - b. Rehearsal of the ICS/ Emergency Mobilization Plan;
    - c. Notification of Jefferson County EMA and outside agencies as necessary; and
    - d. Provision of resources necessary for the incident. This shall include actual contact with the applicable sources to ensure up-to-date contact procedures. (CALEA 46.1.9)
- B. In cases where the reputation of the Department would be jeopardized as a result of time required to follow the lines of authority through official channels, or an emergency exists, the member may, with discretion, report his information to the proper authority, not withstanding the line of official channels of communication.
- C. In cases of such extreme emergency, a written report by said member including all of the circumstances, must be forwarded to the Chief of Police within 24 hours.
- D. In any event, as soon as possible a telephone message will be made by said Member to his immediate superior.

  
 Patrick D. Smith, Chief of Police

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